THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.23367 OF 2006

DATED: 27-7-2007

Between:

Lakshmana Kindri

.. Petitioner

and

Union of India, rep. by its Secretary, Ministry of Home Affairs, New Delhi and others.

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.23367 OF 2006

ORDER:

This writ petition is filed seeking a mandamus declaring the Rule 36 (8) (a) of Central Industrial Security Force Rules, 2001 (for short 'the Rules'), as ultravires of Articles 14, 16, 19 and 21 of the Constitution of India.

There is no necessity of gong into all the details.

When the petitioner, who was a charged employee, was not permitted by the authorities to engage a person from outside the Unit to defend him in the enquiry proceedings on the ground that Rule 36 (8) (a) of the Rules does not permit the same, the present writ petition is filed.

No interim order was granted by this Court during the pendency of the writ petition.

Now, it is brought to the notice of this Court that the departmental proceedings initiated against the petitioner were concluded imposing a punishment of compulsory retirement from service.

In view of the above, nothing survives in this writ petition for further adjudication and the writ petition has become infructuous.

Accordingly, the writ petition is dismissed as infructuous.

However, this order will not preclude the petitioner to challenge the punishment imposed on him, if he is so advised.

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C.V. RAMULU, J

27th July, 2007.
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